

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs
Network Contracting Office 23
708 South 3rd Street, Suite 200E
Minneapolis, MN 55415
VA 2237 #618-13-3-040-0504

2. **Nature and/or Description of the Action Being Processed:** The Minneapolis VA Health Care System requires a fluid warming system that is capable of monitoring and displaying fluid temperature, rapid controlled warming, time/date stamp technology and locking cabinets. These features help reduce the risks associated with inadvertent hypothermia and practice variation, errors and misuse.

This is a "sole source" request for a particular piece of equipment. This item is currently an open market item. A NAC waiver request has been processed and approved. This office intends to award a firm fixed priced purchase order for this equipment.

3. **Description of Supplies/Services Required to Meet the Agency's Needs:**

Fluid Warming System	Mfg: Medical Solutions Inc.	Model: TEMP 3	2 Each
Fluid Warming System	Mfg: Medical Solutions Inc.	Model: 8N1	3 Each
Fluid Warming System	Mfg: Medical Solutions Inc.	Model: 16N1	1 Each

Estimated Dollar Value: \$114,200.00

Required Delivery Date: Earliest date possible

4. **Statutory Authority Permitting Other than Full and Open Competition:**

- ☒ (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
() (2) Unusual and Compelling Urgency per FAR 6.302-2;
() (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
() (4) International Agreement per FAR 6.302-4
() (5) Authorized or Required by Statute FAR 6.302-5;
() (6) National Security per FAR 6.302-6;
() (7) Public Interest per FAR 6.302-7;

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above:** The TEMP 3 IV Solutions Warmer and equipment Fluid Warming system is

patented by and exclusive to Medical Solutions, Inc. Factors considered for TEMP 3 IV Solutions Warmer and equipment Fluid Warming system were as follows:

- Ability to load liquid bags from the top.
- Capable of mounting on the wall verses being on a stand.
- Dimensions: 21.35"H x 17.163"W x 6.239"D
- Operating temperature: Ambient to 43°C
- Power requirements: 120 VAC, 60 Hz
- Amperage consumed: 1.25 Amps
- Rapidly warms 6 one-liter IV bags to a known fluid temperature, warming the initial bag in less than 1 hour and providing warmed bags every 17-22 minutes after the first bag.
- Provides printed documentation for the length of time that the bags are warmed which assists with regulatory compliance via Joint Commission standards.
- Offers controlled access to the warmed fluid, which assists with regulatory compliance via Joint Commission standards
- Displays the known temperature of the fluid being administered which increases patient safety and assists in compliance with the fluid manufacturers recommended warming standards and supplies uniform heating of fluids – no "hot spots" – increasing patient safety.
- Provides controlled access with a code-lock to the warmed fluid which assists with regulatory compliance via Joint Commission standard.
- Also, if fluid temperature in the bag is 2°F over the Set Point temperature the Control Panel Display for that heating compartment will read "OVERTEMP."
- Audible and visual alarm will activate when the fluid temperature in the bag is 2°F over the Set Point and will continue to alarm until the bag is removed from the equipment or the fluid temperature of the bag drops to within 2°F of the Set Point.

6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This is a "sole source" request for a particular piece of equipment.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** Fair and reasonable pricing will be determined by the Contracting Officer.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Market research was performed and it was found that The TEMP 3 IV Solutions Warmer and equipment Fluid Warming system is not available on a Federal Supply Schedule or through other sources based on an internet search. It is known that MEDICAL SOLUTIONS, INC is the parent company, original manufacturer and the distributor of TEMP 3 IV Solutions Warmer and equipment Fluid Warming system products and services.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** None
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** MEDICAL SOLUTIONS, INC
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** The Minneapolis VA Health Care System will continue to support VA actions to foster competition for future acquisitions of equipment being acquired.

12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

 for

Name: Petroula Hansen

Title: Biomedical Engineer

Facility: Biomedical Instrumentation Service

6/25/2013

Date

13. **Approvals in accordance with FAR 6.304**

- a. **Contracting Officer's Certification:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.



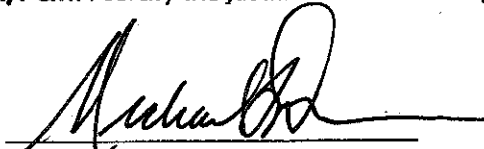
JAMES A. MCDEVITT

Contracting Officer

6/25/13

Date

- b. **NCM/PCM:** I certify the justification meets requirements for other than full and open competition.



MICHAEL L. OWEN

Product Line Contract Manager

6/25/13

Date